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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

JAMES FRANKENFIELD,

Case No. 1:17-cv-00679-CL

Plaintiff,

v..

**PLAINTIFF'S UNOPPOSED
MOTION TO EXTEND TIME TO
FILE RESPONSE TO
DEFENDANT'S MOTION TO
PARTIALLY DISMISS UNDER
FED. R. CIV. P. 12(b)(6)**

REX W. TILLERSON, in his official
capacity as Secretary of State;
BRENDA SAUNDERS SPRAGUE,
in her official capacity as Deputy
Assistant Secretary for Passport
Services, bureau of Consular Affairs,
U.S. Department of States; **ADAM E.
FOX**, in his official capacity as
Consular Section Chief, U.S. Embassy
Tbilisi, Georgia and also individually,

Defendants.

MOTION

Plaintiff James Frankenfield moves the court to extend the time for Plaintiff to file a response to DEFENDANTS' MOTION TO PARTIALLY DISMISS UNDER FED. R. CIV. P. 12(b)(6) filed July 14, 2017. The current response deadline is July 28, 2017. For the reasons below, Plaintiff requests a new response deadline of no earlier than September 1, 2017. The Defendants do not oppose this motion. Plaintiff requests this extension based on the following:

1. The Court appointed current *pro bono* counsel for the purpose of "Limited Evaluation of the Case." In this limited capacity, current counsel is unable to respond to Defendants' motion.
2. With current counsel registered as the attorney of record in the Court system, Plaintiff is unable to file a response to Defendants' motion *pro se*.
3. The conclusion of current counsel's evaluation is that Plaintiff has meritorious claims against defendants. However, current counsel is unable continue as *pro bono* representative in the case in chief.
4. If the Court appoints additional *pro bono* counsel for the case in chief, counsel will need additional time to respond to Defendants' motion.
5. If the Court does not appoint additional *pro bono* counsel, Plaintiff will need additional time to file a response to Defendants' motion *pro se*.

For these reasons, Plaintiff moves the court to extend the filing deadline for Plaintiff's response to Defendants' motion.

Dated this 25th day of July, 2017.

Respectfully Submitted,

/s/ Cole W. Enabnit
COLE W. ENABNIT
ATTORNEY FOR PLAINTIFF